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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/773,640	02/05/2004	Yihsiu Chen	61922-00011USPT	7637
26652	7590	04/18/2007		
AT&T CORP. ROOM 2A207 ONE AT&T WAY BEDMINSTER, NJ 07921			EXAMINER ZAIDI, SYED	
			ART UNIT	PAPER NUMBER
			2609	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		04/18/2007	PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/773,640

Applicant(s)

CHEN ET AL.

Examiner

Syed Zaidi

Art Unit

2609

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) The invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**Claims 1-9** are rejected under 35 U.S.C. 102(e) as being anticipated by **Nix et al.** (US Patent. # US 7,145,900 B2).

Consider **claim 1, Nix et al.** clearly show and disclose a method for call control, comprising: receiving a call at a communications device (column 3 lines 60-67 and also column 4, lines 20-23) and target device (212 fig # 2), the call being routed over at least one IP network (column 11 lines 44-48, fig # 13 (1304 a, b) controlling the call using an IP device (IP device is call server 404) (column 5 lines 37-50, fig # 4) connected to the IP network via a control gateway (gateway 208 figure # 2).

Consider **claim 2**, and **as applied to claim 1 above**, **Nix et al.** also clearly show and disclose the method wherein the step of controlling the call further comprises the step of controlling the call using an SIP protocol (column 8 lines 15-48 and fig # 16 (1604)).

Consider **claim 3**, and **as applied to claim 1 above**, **Nix et al.** also clearly show and disclose the method wherein the step of controlling the call further comprises the step controlling the call using a protocol having a call control portion and a voice control portion (column 15 lines 14-30 and fig # 16 and 19).

Consider **claim 4**, and **as applied to claim 1 above**, **Nix et al.** also clearly show and disclose a method wherein the steps of controlling further comprise providing a service application under the control of the IP device (IP device is call server 404, column 5 lines 37-50 and fig # 20).

Consider **claim 5**, **Nix et al.** also clearly show and disclose a system for call control, comprising: a control gateway (column 11 lines 44-48 and

gateway, 1308, figure # 13) providing control access to an IP network; at least one IP device (call server 404, figure # 4) connected to the control gateway, said IP device configured to control a call (column 11 lines 44-48 and figure # 13 (1304, a, b)).

Consider **claim 6**, and **as applied to claim 5 above**, **Nix et al.**, also clearly show and disclose the system, wherein the IP device controls the call using an SIP protocol (column 8 lines 15-48) (fig # 16 (1604)).

Consider **claim 7**, **Nix et al.** clearly shows and discloses the system, wherein the IP device controls the call using a protocol having a call control portion and a voice control portion (column 15 lines 31-30 and fig # 20).

Consider **claim 8**, and **as applied to claim 5 above**, **Nix et al.**, also clearly show and disclose the system, wherein the IP device provides a service application (telephony service provider) for controlling the call (column 15 lines 13-43 and fig # 20).

Consider **claim 9**, and **as applied to claim 5 above**, Nix et al.

clearly show and disclose the system further including a communications device (which is a target device 212) for receiving the call. (Column 3 lines 60-67, fig # 13 (1312) and column 4, lines 20-23).

### ***Conclusion***

Any response to this Office Action should be **faxed to** (571) 273-8300  
**or mailed to:**

Commissioner for Patents  
P.O. Box 1450  
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**Hand-delivered responses** should be brought to

Customer Service Window  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Syed S.Zaidi whose telephone number is (571) 270-1779. The examiner can normally be reached on Monday - Friday 8:00-5:00 EST.


If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Rafael Perez-Gutierrez can be reached on (571)

272-7915. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or 703-305-3028.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.

Syed S.Zaidi  
S.Z./sz  
April 12th 2007.

  
RAFAEL PEREZ-GUTIERREZ  
SUPERVISORY PATENT EXAMINER  
4/16/07